



MAIL STOP AF  
RESPONSE UNDER  
37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 3743

PATENT  
6056-000039/US

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Bernd SCHOLLER et al. Conf.: 8518  
Appl. No.: 09/816,014 Group: 3743  
Filed: March 23, 2001 Examiner: Kathryn P. Ferko  
For: PROCEDURE FOR THE CONTROL OF A RESPIRATOR  
DEVICE AS WELL AS APPARATUS FOR MONITORING  
Docket No.: 6056-000039/US

*#12 Notice  
appeal  
10/29/03  
Drew*

NOTICE OF APPEAL FROM THE  
PRIMARY EXAMINER TO THE BOARD OF APPEALS

MAIL STOP AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

October 22, 2003

RECEIVED

OCT 28 2003

TECHNOLOGY CENTER R3700

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated April 22, 2003 of the Primary Examiner finally rejecting claims 1 – 16.

☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

☒ Applicants hereby petition for an extension of THREE (3) months pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

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330.00 0P

- ☒ NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of **\$950.00** is required for the full period of the above-requested extension of time.
- ☐ An extension of \_\_\_\_\_ for responding to the Final Rejection was previously requested, and the fee of \$\_\_\_\_\_ was previously paid on \_\_\_\_\_.
- ☐ Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

- ☒ Large entity - \$330.00
- ☐ Small Entity - \$165.00

Therefore, the **TOTAL FEE** due for the filing of this Notice of Appeal is **\$1,280.00**.

Payment of the above TOTAL FEE is being made in the following manner:

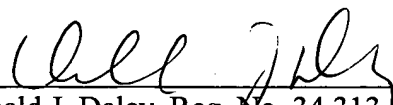
- ☒ Check in the amount of **\$1,280.00** is enclosed.
- ☐ Please charge Deposit Account No. 08-0750 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKY, & PIERCE, P.L.C.

By

  
Donald J. Daley, Reg. No. 34,313

DJD/hnd

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